

FORM PTO-1280 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371	ATTORNEY'S DOCKET NUMBER: 103364603US U.S. APPLICATION NO. (If known) 09/787887 CF 1.2	
INTERNATIONAL APPLICATION NO.: PCT/SE99/01688	INTERNATIONAL FILING DATE: 24 SEPTEMBER 1999	PRIORITY DATE CLAIMED: 24 SEPTEMBER 1998
TITLE OF INVENTION: FENTANYL COMPOSITION FOR THE TREATMENT OF ACUTE PAIN		
APPLICANT(S) FOR DO/EO/US: Anders PETTERSSON, Christer NYSTROM, Hans LENNERNAS, Bo LENNERNAS, Thomas HEDNER		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/>	This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.	
2. <input type="checkbox"/>	This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.	
<input checked="" type="checkbox"/>	This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).	
<input checked="" type="checkbox"/>	A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.	
<input checked="" type="checkbox"/>	A copy of the International Application as filed (35 U.S.C. 371(c)(2))	
<input checked="" type="checkbox"/>	is transmitted herewith (required only if not transmitted by the International Bureau).	
<input type="checkbox"/>	has been transmitted by the International Bureau. (see attached copy of PCT/IB/308)	
<input type="checkbox"/>	is not required, as the application was filed in the United States Receiving Office (RO/US).	
<input checked="" type="checkbox"/>	A translation of the International Application into English (35 U.S.C. 371(c)(2)).	
<input type="checkbox"/>	Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).	
<input type="checkbox"/>	are transmitted herewith (required only if not transmitted by the International Bureau).	
<input type="checkbox"/>	have been transmitted by the International Bureau.	
<input type="checkbox"/>	have not been made; however, the time limit for making such amendments has NOT expired.	
<input type="checkbox"/>	have not been made and will not be made.	
<input type="checkbox"/>	A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).	
<input type="checkbox"/>	An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).	
<input type="checkbox"/>	A translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).	
Item 11. to 16. below concern document(s) or information included:		
<input type="checkbox"/>	An Information Disclosure Statement under 37 CFR 1.97 and 1.98.	
<input type="checkbox"/>	An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.	
<input checked="" type="checkbox"/>	A FIRST preliminary amendment.	
<input type="checkbox"/>	A SECOND or SUBSEQUENT preliminary amendment.	
<input type="checkbox"/>	A substitute specification.	
<input type="checkbox"/>	A change of power of attorney and/or address letter.	
<input checked="" type="checkbox"/>	Other items or information:	
International Search Report PCT/PEA/409 Abstract of the Disclosure on a Separate Sheet Application Data Sheet		

U.S. APPLICATION NO. 09/787887

INTERNATIONAL APPLICATION NO.
PCT/SE99/01688

ATTORNEY'S DOCKET NO.
103364603

CALCULATIONS PTO USE ONLY

17. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$ 1,000.00
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$ 860.00
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$ 710.00
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$ 690.00
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$ 100.00

ENTER APPROPRIATE BASIC FEE AMOUNT = \$ 1,000.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). \$ 130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	20 - 20 =	0	X \$18.00	\$
Independent claims	3 - 3 =	0	X \$80.00	\$

MULTIPLE DEPENDENT CLAIMS(S) (if applicable) + \$270.00 \$

TOTAL OF ABOVE CALCULATIONS = \$ 1,130.00

Reduction of 1/2 for filing by small entity, if applicable. Applicant claims Small Entity Status under 37 CFR 1.27. \$ 565.00

SUBTOTAL = \$ 565.00

Processing fee of \$130 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.49(f)). \$

TOTAL NATIONAL FEE = \$ 565.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property. \$

TOTAL FEES ENCLOSED = \$ 565.00

Amount to be refunded:

charged:

- a. ☒ A check in the amount of \$ 565.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. **25-0120** in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required by 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. **25-0120**. A duplicate copy of this sheet is enclosed.

SEND ALL CORRESPONDENCE TO:

Customer No. 000466
YOUNG & THOMPSON
745 South 23rd Street
2nd Floor
Arlington, VA 22202
(703) 521-2297 facsimile (703) 685-0573

March 26, 2001

By

Benoit Castel
Benoit Castel
Attorney for Applicants
Registration No. 35,041

09/787887

JC10 Rec'd PCT/PTO 2 6 MAR 2001

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Anders PETTERSSON et al.

Serial No. (unknown)

Filed herewith

FENTANYL COMPOSITION FOR
THE TREATMENT OF ACUTE PAIN

PRELIMINARY AMENDMENT

Commissioner for Patents

Washington, D.C. 20231

Sir:

Prior to the first Official Action and calculation of the filing fee, please substitute Claims 1-23 as originally filed, which appear on pages 13-15, with Claims 1-20 as filed in the Article 19 amendment of 15 February 2000. The pages containing Claims 1-20 are marked "AMENDED SHEET (ARTICLE 19)" and are attached hereto. Following the insertion of Claims , please amend these claims as follows:

IN THE CLAIMS:

Amend claim 3 as follows:

--3. (amended) A composition according to claim 1, comprising from 0.05 to 5 weight percent of fentanyl, preferably then from 0.1 to 1 weight percent.

Amend claim 4 as follows:

09787887 0956001
100050 28878760

--4. (amended) A composition according to claim 1, wherein the particles of fentanyl have a weight based mean diameter of less than 10 μm .

Amend claim 5 as follows:

--5. (amended) A composition according to claim 1, wherein the mean sieve diameter of the carrier particles is less than 750 μm , preferably then from 100 to 600 μm .

Amend claim 6 as follows:

--6. (amended) A composition according to claim 1, wherein the carrier comprises a brittle material which will fragmentize easily when compressed.

Amend claim 10 as follows:

--10. (amended) A composition according to claim 1, further comprising a pharmaceutically acceptable surfactant in a finely dispersed form and intimately mixed with the fentanyl.

Amend claim 12 as follows:

--12. (amended) A composition according to claim 10, wherein the surfactant is selected from the group consisting of sodium lauryl sulfate, polysorbates, bile acid salts and mixtures thereof.

Amend claim 13 as follows:

--13. (amended) A composition according to claim 1, wherein the carrier particles comprise a water-soluble, pharmaceutically acceptable carbohydrate and/or inorganic salt.

Anders PETTERSSON et al.

Amend claim 15 as follows:

--15. (amended) A composition according to claim 1, wherein the carrier particles contain at least one pharmaceutical disintegrating agent promoting the dispersion of the microparticles of fentanyl over the sublingual mucosa.

Amend claim 17 as follows:

--17. (amended) A composition according to claim 15, wherein the disintegrating agent is present in an amount from 1 to 10 weight percent of the composition.

R E M A R K S

The above changes in the claims merely place this national phase application in the same condition as it was during Chapter II of the international phase, with the multiple dependencies being removed. Following entry of this amendment by substitution of the pages, only Article 19 claims 1-20 remain pending in this application.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

Anders PETERSSON et al.

Respectfully submitted,

YOUNG & THOMPSON

By

Benoit Castel

Benoit Castel
Attorney for Applicants
Customer No. 000466
Registration No. 35,041
745 South 23rd Street
Arlington, VA 22202
Telephone: 703/521-2297

March 26, 2001

09787887.060801

VERSION WITH MARKINGS TO SHOW CHANGES MADE

3. A composition according to claim 1 ~~or 2~~, comprising from 0.05 to 5 weight percent of fentanyl, preferably then from 0.1 to 1 weight percent.

4. A composition according to ~~any one of claims 1-3~~ claim 1, wherein the particles of fentanyl have a weight based mean diameter of less than 10 μm .

5. A composition according to ~~any one of claims 1-4~~ claim 1, wherein the mean sieve diameter of the carrier particles is less than 750 μm , preferably then from 100 to 600 μm .

6. A composition according to ~~any one of claims 1-5~~ claim 1, wherein the carrier comprises a brittle material which will fragmentize easily when compressed.

10. A composition according to ~~any one of claims 1-9~~ claim 1, further comprising a pharmaceutically acceptable surfactant in a finely dispersed form and intimately mixed with the fentanyl.

12. A composition according to claim 10 ~~or 11~~, wherein the surfactant is selected from the group consisting

Anders PETTERSSON et al.

of sodium lauryl sulfate, polysorbates, bile acid salts and mixtures thereof.

13. A composition according to ~~any one of claims 1-12~~ claim 1, wherein the carrier particles comprise a water-soluble, pharmaceutically acceptable carbohydrate and/or inorganic salt.

15. A composition according to ~~any one of claims 1-14~~ claim 1, wherein the carrier particles contain at least one pharmaceutical disintegrating agent promoting the dispersion of the microparticles of fentanyl over the sublingual mucosa.

17. A composition according to claim 15 ~~or 16~~, wherein the disintegrating agent is present in an amount from 1 to 10 weight percent of the composition.

09787887, 060801

FENTANYL COMPOSITION FOR THE TREATMENT OF ACUTE PAIN**Field of the invention**

- 5 The present invention relates to a rapidly disintegrating pharmaceutical composition for sublingual administration of fentanyl, to a method for the treatment of acute pain and to a method of manufacture of a corresponding medicament.

Background of the invention

10

Acute and/or severe pain is a common cause of emergency treatment or hospitalization. In cancer patients, pain is usually treated with non-steroid anti-inflammatory drugs (NSAIDs) and opiates alone or in combination. Opioid-requiring cancer pain patients are usually given slow-release opiates (slow-release morphine or ketobemidone or transdermal fentanyl). A characteristic feature of cancer pain are periods of inadequate analgesia (breakthrough pain). Most often they are due to increased physical activity of the patient. However, treatment of breakthrough pain by administration of increased time contingent doses of long-acting analgesics causes adverse side effects such as excess sedation, nausea, and constipation. Presently available oral, rectal, or sublingual analgesic formulations have relatively lengthy onset times or erratic absorption characteristics that are not well suited to control acute or breakthrough pain.

20

Conditions of acute operative/postoperative or traumatic/ posttraumatic pain as well as pain due to severe disease (e.g. myocardial infarction, nephrolithiasis, etc.) is usually treated with opioid analgesics which are administered parenterally (by intravenous or intramuscular administration) to obtain a rapid onset of analgesia. In such cases, rapid-onset oral alternatives are of considerable therapeutic interest.

25

30

Fentanyl, N-(1-phenethyl-4-piperidyl)-propioanilide, is an opioid agonist and shares many of the pharmacodynamic effects of opiates such as morphine and meperidine. However, compared to these opiates, fentanyl exhibits little hypnotic activity, rarely induces histamine release, and respiratory depression is more short-lived. Fentanyl is commercially available for intravenous, intrabuccal (lozenge-transmucosal) and transdermal administration.

Following parenteral administration of fentanyl, the analgesic action is more prompt and less prolonged than that of morphine and meperidine. The onset of analgesia following i.v. administration is rapid. Peak analgesia is obtained within a few minutes. Following transbuccal administration by a lozenge, consumption of the lozenge is usually complete within 30 min and peak plasma concentrations appear around 20 minutes, as described by e.g. Farrar et al., J. Natl. Cancer Inst. 1998, 90(8), p. 611-616. Analgesia is apparent within 5-15 min and peaks at about 20-50 min. While this is an improvement over oral administration for gastrointestinal uptake, a quicker onset of analgesia would be of substantial benefit to the patient. In addition, substantial amounts of lozenge-administered fentanyl are swallowed by the patient. This is not desirable and results in the administration of excessive amounts of the drug, which may give rise to side effects.

Fentanyl shares the toxic potential of opiate agonists, and the usual precautions in this field must be observed. Respiratory depression is the most serious adverse event, occurring after buccal, parenteral as well as transdermal administration. In patients receiving transmucosal fentanyl, facial flushing and pruritus is relatively common. Nausea and vomiting are also frequent after buccal therapy.

Objects of the invention

- It is one object of the invention to provide for the treatment of acute or breakthrough pain by perorally administering fentanyl in a manner giving rise to pharmacologically effective plasma levels of fentanyl within a short time after administration.
- It is another object of the invention to provide a pharmaceutical composition suitable for that purpose.
- It is a further object of the invention to provide a method of making such a composition.
- It is an additional object of the invention to provide a method of manufacture of a medicament for sublingual administration containing a physiologically effective dose of fentanyl useful in the treatment of acute pain.

Description of the drawing

The sole figure of the drawing shows the result of a test of the bioavailability of the active agent in a composition according to the invention. It is a diagram showing the plasma concentration of the agent against the time after administration.

Summary of the invention

According to the invention, the peroral treatment of acute or breakthrough pain comprises sublingual administration of an ordered mixture comprising a pharmacologically effective amount of fentanyl or one or more of its pharmaceutically acceptable salts. In a preferred embodiment, fentanyl or one or more of its pharmaceutically acceptable salts is administered sublingually in combination with a bioadhesion and/or mucoadhesion promoting compound.

According to the invention, there is also provided a single-dose pharmaceutical composition for sublingual administration, comprising a pharmacologically effective amount of fentanyl or one or more of its pharmaceutically acceptable salts. In a preferred embodiment, said composition also contains a bioadhesion or mucoadhesion promoting compound. This composition reduces erratic drug absorption via swallowed saliva and enables the administration of small amounts of fentanyl. Therefore, it substantially reduces the risk of side effects and inpatient as well as outpatient variation of therapeutic response. Thereby the risk of drug accumulation is reduced, making the pharmaceutical preparation well suited for repeated dosing in cancer patients suffering from acute pain.

The composition of the invention should contain from 0.05 up to 20 weight percent of fentanyl. More preferably, the compositions contains from 0.05 to 5 weight percent of fentanyl, and especially from 0.1 to 1 weight percent. The contents can also be expressed as the amount of fentanyl in a dose unit of the composition, such as a tablet. In this case, a dose unit should contain from 0.05 to 20 mg, and preferably 0.1 to 5 mg of fentanyl. When the fentanyl is used in the form of a salt, these percentages and amounts should be recalculated accordingly.

According to one preferred aspect of the invention, the sublingual composition comprises an ordered mixture of one or more bioadhesive and/or mucoadhesive carrier substances coated with fentanyl or one of its pharmaceutically acceptable salts.

It is preferred to formulate the composition according to the invention by use of the technology for formulating rapidly dissolving ordered-mixture compositions disclosed in European patent EP 0 324 725. In these compositions, the drug in a finely dispersed state covers the surface of substantially larger carrier particles. Such compositions disintegrate rapidly in water, thereby dispersing their contents of microscopic drug particles.

However, this prior art technique of using an ordered mixture for rapid drug dissolution has hitherto only been reported to be suitable for conventional oral drug therapy, i.e. for solid dosage forms which are to be swallowed. For such preparations, the dissolution of the drug particles takes place in the stomach, i.e. in an environment where there exists a relatively large volume of liquid which can dissolve the drug particles. In the entire prior art literature, dissolution testing of ordered mixtures has been conducted with a large volume of water, typically 1 litre. The possibility to use ordered mixtures for sublingual administration, where the volume of liquid available as a solvent is limited to a few millilitres, has not been considered as a feasible approach. It was therefore unexpected that the present form of a solid dosage form preparation and administration route gives positive and useful results.

In such an ordered mixture, the fentanyl or salt thereof preferably has a mean particle size below 10 μm . This size is determined on a weight basis, as obtained directly by e.g. dry sieving analysis, as is known by those skilled in the art.

Preferably, a bioadhesion and/or mucoadhesion promoting agent is additionally added to the carrier particles according to the invention. The bioadhesion and/or mucoadhesion promoting agent is effective in making the fentanyl adhere to the oral mucosa and may, in addition, possess properties to swell and expand in contact with water and thus make the tablet or the carrier particles disintegrate when wetted with saliva. The bio/mucoadhesion promoting agent must then be present on the surface of the carrier particles, but it may optionally also be present within these particles, as described below.

The expression "mucoadhesion" is meant to denote an adhesion to mucous membranes which are covered by mucus, such as those in the oral cavity, while the expression "bioadhesion" is meant to denote an adhesion to biological surfaces more in general, including mucous membranes which are not covered by mucus. These expressions generally overlap as definitions, and may usually be used interchangeably, although the expression "bioadhesive"

has a somewhat wider scope. In the present specification and claims, the two expressions serve the same purpose as regards the objects of the invention, and this has been expressed by the use of the common term "bio/mucoadhesion".

- 5 Suitably the carrier particles contain from 0.1 up to 25 weight percent of bio/mucoadhesion promoting compound, based on the total composition. In practice, contents below 1 weight percent have been found to give an insufficient bio/mucoadhesive effect. The preferred range of bio/mucoadhesion promoting agent content is from 1 to 15 weight percent.
- 10 It is preferred that the bio/mucoadhesion promoting agent is a polymeric substance, preferably a substance with an average molecular weight above 5,000 (weight average). The level of hydration of the mucosa adhesion promoting agent interface is of importance in the development of bio/mucoadhesive forces. Therefore, the faster the swelling of the polymer, the faster is the initiation of bio/mucoadhesion. The hydration of bioadhesive agents also makes
- 15 them useful as absorption enhancers according to the invention.
- Preferably, the carrier particle size is from 50 to 750 μm , more preferred from 100 to 600 μm . Although particle sizes outside the indicated range can be used, practical difficulties are experienced when formulating pharmaceutical preparations from particles having such sizes.
- 20 The carrier used may comprise any substance which is pharmaceutically acceptable, is highly soluble in water, and which can be formulated into particles fit for incorporating a bio/mucoadhesion promoting agent. A number of such substances are known to the person skilled in this art. As suitable examples may be mentioned carbohydrates, such as sugar, mannitol and lactose, or pharmaceutically acceptable inorganic salts, such as sodium chloride
- 25 or calcium phosphate.

In accordance with one particularly preferred aspect of the invention, the carrier also comprises a fragmentation promoting agent. By a fragmentation promoting agent is meant a brittle material which is readily crushed or broken up when a pharmaceutical composition of which it

30 forms a part is compacted into tablets. If a bio/mucoadhesion promoting agent is also incorporated within the carrier as well as being added to the carrier surface, further surfaces of bio/mucoadhesion promoting agent may then be exposed for hydration. This effect is especially pronounced when the bio/mucoadhesion promoting agent also serves as a disintegrant.

Mannitol and lactose have been found to be particularly suitable as fragmentation promoting agents.

5 The addition of a pharmaceutically acceptable surfactant to the composition is also a preferred feature of the invention. The increased wetting effect of the surfactant enhances the hydration of the carrier particles, which results in faster initiation of the bio/mucoadhesion. The surfactant should be in a finely dispersed form and intimately mixed with the fentanyl. The amount of surfactant should be from 0.5 to 5 weight percent of the composition, and preferably then from 0.5 to 3 weight percent.

10 As examples of suitable surfactants may be mentioned sodium lauryl sulfate, polysorbates, bile acid salts and mixtures of these.

15 A variety of polymers known in the art can be used as bio/mucoadhesion promoting agents. In addition to their polymeric nature, their ability to swell is important. On the other hand, it is also important that they are substantially insoluble in water. Their swelling factor by volume when brought into contact with water or saliva should preferably be at least 10, while a factor of at least 20 is more preferred. Examples of such bio/mucoadhesion promoting agents include cellulose derivatives such as hydroxypropylmethyl cellulose (HPMC), hydroxyethyl cellulose
20 (HEC), hydroxypropyl cellulose (HPC), methyl cellulose, ethyl hydroxyethyl cellulose, carboxymethyl cellulose and sodium carboxymethyl cellulose (NaCMC); starch derivatives such as moderately cross-linked starch; acrylic polymers such as carbomer and its derivatives (Polycarbophil, Carbopol®, etc.); polyethylene oxide (PEO); chitosan (poly-(D-glucosamine)); natural polymers such as gelatin, sodium alginate, pectin; scleroglucan; xanthan gum; guar
25 gum; poly co-(methylvinyl ether/maleic anhydride); microcrystalline cellulose (Avicel®); and crosscarmellose. Combinations of two or more bio/mucoadhesive polymers can also be used. More generally, any physiologically acceptable agent showing bio/mucoadhesive characteristics may be used successfully to be incorporated in the carrier.

30 Bio/mucoadhesiveness can be determined in vitro, e.g. according to G. Sala et al., Proceed. Int. Symp. Contr. Release. Bioact. Mat. 16:420, 1989.

09787887-060801

Some suitable commercial sources for representative bio/mucoadhesive polymers include:

Carbopol® acrylic copolymer - BF Goodrich Chemical Co, Cleveland, OH, USA;

HPMC - Dow Chemical Co., Midland, MI, USA;

5 NEC (Natrosol) - Hercules Inc., Wilmington, DE., USA;

HPC (Klucel®) - Dow Chemical Co., Midland, MI, USA;

NaCMC - Hercules Inc. Wilmington, DE.. USA;

PEO - Aldrich Chemicals, USA;

Sodium Alginate, - Edward Mandell Co., Inc., Carmel, NY, USA;

10 Pectin - BF Goodrich Chemical Co., Cleveland, OH, USA.'

Ac-Di-Sol® (modified cellulose gum with a high swellability) - FMC Corp., USA;

Actigum, - Mero-Rousselot-Satia, Baupre, France;

Satiexane - Sanofi BioIndustries, Paris, France;

Gantrez® - ISP, Milan, Italy;

15 Chitosan - Sigma, St Louis, MS, USA;

Depending on the type and the proportion of the bio/mucoadhesion promoting agent used, the rate and intensity of bio/mucoadhesion may be varied. According to one of the preferred aspects of the invention, substances with high and rapid capacity for swelling are preferred.

20

In order for the pharmaceutical composition of the invention to function properly when a bio/mucoadhesion promoting agent is added thereto, this agent must be positioned at the surfaces of the carrier particles. The bio/mucoadhesion promoting agent can be admixed to the carrier particles in several ways. In a preferred embodiment of the invention, a fine particulate
25 quality of the bio/mucoadhesion promoting agent is mixed together with the coarse carrier for a sufficient time to produce an ordered mixture, where the finer particles exist as discrete primary particles adhered to the surfaces of the carrier particles. Thus, the bio/mucoadhesion promoting agent is admixed in the same way as the active compound described in European patent No. 0 324 725.

30

In yet another embodiment of the invention, the bio/mucoadhesion promoting agent may, beside its peripheral orientation on the surfaces of the carrier particles, also be incorporated into the carrier particles in various ways. For example, the finely dispersed carrier can be granulated together with finely dispersed bio/mucoadhesive in a liquid which does not dissolve the

09787887.060801

bio/mucoadhesive or cause it to swell. In this case, the dry constituents are first mixed, and the resultant mix is then moistened with a non-dissolving/non-swelling liquid, such as absolute ethanol. The resultant mass is granulated, for instance by forcing it through a filter. It is then dried and finely ground. Alternatively, the moist mass can be dried and then granulated.

- 5 Another way of producing the carrier particles according to the invention is by dissolving the carrier agent in a solvent which will not dissolve the bio/mucoadhesion promoting agent or cause it to swell, followed by the addition of the bio/mucoadhesion promoting agent to the solution, evaporation of the solvent, and granulation of the residue. Other methods are also conceivable to the person skilled in this art. Irrespective of the method applied, a suitable grain
- 10 size fraction of the carrier agent containing bio/mucoadhesion promoting agent is prepared in a final stage, e.g. by passing the particulate mixtures through an screen or sieve of an appropriate mesh size, for instance a U.S. mesh size from 35 to 170.

The bio/mucoadhesion promoting agent preferably has a particle size between 1 and 100 μm .

- 15 When the particles of this agent are to be mixed with the carrier particles to form an ordered mixture, their size lies within the lower part of the size interval, and suitably their size is then below 10 μm . When the bio/mucoadhesion promoting agent is to be incorporated in the carrier particles, its particle size may be within the upper part of the size interval.

- 20 The invention is particularly directed to the administration of fentanyl and its pharmacologically acceptable salts, such as the citrate or maleate, which are not readily soluble in water. The particles of fentanyl or salt thereof will suitably have a maximum particle size of about 24 μm but will preferably not be greater than about 10 μm . Fentanyl is caused to adhere to the carrier particles by dry mixing of the ingredients during a period of time of sufficient
- 25 length. This time period can vary according to the mixing equipment used. A person skilled in the art will have no difficulty in determining by experimentation a suitable mixing time for a given combination of active substance, bio/mucoadhesion promoting agent, and carrier, by using a particular mixing equipment.

- 30 Another preferred aspect of the invention comprises the incorporation of a disintegrating agent in the composition of the invention. Such an agent which will accelerate the dispersion of the carrier particles. Examples of disintegrating agents according to the invention include cross-linked polyvinylpyrrolidone, carboxymethyl starch, natural starch, microcrystalline

09787887, 060801

- cellulose, cellulose gum and mixtures of these. A preferred content of disintegrating agent is from 1 % to 10 % of the composition. As can be seen, the definitions of the disintegrating agent and the bio/mucoadhesion promoting agent overlap somewhat, and it may be preferred that both functions are served by the same substance. However, it is important to note that these two
- 5 categories of excipients are not equivalent, and there are efficiently functioning disintegrants which do not possess bio/mucoadhesive properties, and vice versa.

The ordered mixtures prepared in accordance with the present invention can be incorporated in various kinds of pharmaceutical preparations intended for sublingual administration.

- 10 Irrespective of the form given to the preparation, it is important for the preparation to be essentially free from water, since its bio/mucoadhesion promoting character results from its practically instantaneous hydration when brought into contact with water or saliva. Premature hydration would drastically decrease the mucoadhesion promoting properties and result in a premature dissolution of the active substance.

- 15 A pharmaceutical composition for the preferred sublingual route of administration can be obtained by combining an aforementioned ordered mixture with conventional pharmaceutical additives and excipients used in the art for sublingual preparations. Appropriate formulation methods are well known to the person skilled in the art; see, for instance, Pharmaceutical
- 20 Dosage Forms: Tablets. Volume 1, 2nd Edition, Lieberman H A et al.; Eds.; Marcel Dekker, New York and Basel 1989, p. 354-356, and literature cited therein. Suitable additives comprise additional carrier agents, preservatives, lubricants, gliding agents, disintegrants, flavorings, and dyestuffs.

- 25 Thus, the invention provides a dosage form which is easy and inexpensive to manufacture, enables rapid active substance release, and promotes fentanyl uptake through the oral mucosa. The use of a low dose of fentanyl is provided for, supporting a short duration of action while enabling a repeated dosing schedule for patients in need of treatment of recurrent acute or breakthrough pain.

- 30 The invention will now be illustrated in more detail by reference to examples showing preferred but not limiting embodiments.

09787887.060801

Example 1. Preparation of a rapidly disintegrating tablet with bio/mucoadhesion promoting properties.

A batch of 1000 tablets was produced from the following compositions: 81.5 g of mannitol and 2.0 g of Ac-Di-Sol® (disintegrant and bio/mucoadhesion promoting agent) were mixed with about 170 ml of absolute ethanol. The dried mixture was forced through a metal sieve of 1 mm mesh width and the resultant fraction, having a particle size from about 250 to 450 microns, was mixed with 500 mg of micronized fentanyl and with 1.0 g of finely ground sodium lauryl sulfare (surfactant) over a period of 50 hours. The resulting mixture was admixed with 5.0 g of Avicel® Ph101 and 10.0 g sodium alginate (bio/mucoadhesion promoting agent and disintegrant) over a period of 60 minutes. The resulting mixture was compacted into tablets at a compaction pressure of 200 MPa, each tablet having a weight of 100 mg and containing 0.5 mg of fentanyl.

The dissolution rate of the tablets thus produced was investigated in accordance with USP XXXIII (Paddle Method) at two different stirring speeds, 25 and 100 rpm.

Example 2. Preparation of a rapidly disintegrating tablet with bio/mucoadhesion promoting properties.

A batch of 1000 tablets was produced from the following composition: 91.0 g of mannitol (granular quality of a particle size from 250 to 450 µm) and 1.0 g of sodium lauryl sulfate and 500 mg of micronized fentanyl were mixed in a V-mixer over a period of 24 hours. Thereafter, 5.0 g of Avicel® PH101 and 2.0 g of Ac-Di-Sol® (here used both as a disintegrant and as a bio/mucoadhesion promoting agent) was admixed for an additional 2 hours. Finally, 0.5 g of magnesium stearate was admixed for 2 minutes. The resulting tablet mass was compacted into tablets at a compaction pressure of 130 Mpa, each tablet containing 0.5 mg of fentanyl.

The disintegration time was tested with the use of the apparatus described in Ph.Eur. (latest edition)

It was found that the disintegration time was less than 15 seconds.

For comparison, conventional rapidly dissolving tablets were also produced. Dry mannitol having a particle size of 250-450 microns was dry mixed with micronized fentanyl without any further addition of excipients. The mixing time was 50 hours. The resulting mixture was compacted into tablets at a compaction pressure of 200 MPa, each tablet containing 0.5 mg of fentanyl.

The results from this investigation showed that the ordered mixture with bio/mucoadhesive properties according to the invention (Example 1) has a dissolution rate equal to that of a conventional rapidly dissolving tablet formulation. The entire tablet was dissolved within 2 minutes. Furthermore, the rapid disintegration found for the tablets of Example 2 was equal to or better than for the conventional tablets.

Example 3. Evaluation of uptake in sublingual administration

To one patient suffering from breakthrough pain due to cancer was administered 400 µg of fentanyl as a sublingual tablet formulated as described in Example 1. The plasma concentration of fentanyl was monitored for a time of 240 minutes after the administration, and the results are shown in the accompanying figure. It will be seen that the uptake of fentanyl was rapid, with the maximum value attained already after 5 minutes. This shows that a sublingual preparation according to the invention gives a rapid uptake of the active agent, even though a very small volume of liquid is available for dissolution in this route of administration.

Example 4. Evaluation of bio/mucoadhesive properties.

For in vitro evaluation of the bio/mucoadhesive properties of the formulation according to the present invention, a method permitting evaluation of bio/mucoadhesion promoting properties directly on finished dosage forms (Sala, G.E. et al., Proc. Int. Symp. Contr. Release Bioact. Mat. 16:420, 1989) was used. The evaluation was based on measurements of the flow of water required to remove the active substance from a rabbit intestinal membrane. A strip of rabbit mucosa was placed horizontally in a suitable temperature controlled chamber set at 37°C. The tissue was first washed with predetermined volumes of water by means of a peristaltic pump. Pre-compressed compositions according to Example 1 (5-15 mg) were then placed on the tissue and allowed to remain there for 2 minutes to ensure proper dissolution. Upon this followed an elution with water fed by a peristaltic pump during 10 minutes. Rinsed-off fentanyl was

collected, and its amount determined by radioimmunoassay (RIA) in order to establish the percentage of fentanyl removed. Subsequent tests were carried out using increasing elution flow rates. The results are shown in Table 1; percentages of removal at a high flow rate are listed for:

5

A Bio/mucoadhesive mixture according to the invention (Example 1);

B Bio/mucoadhesive mixture according to the invention (Example 2);

10 C Conventional mixture for rapid dissolution containing no bio/mucoadhesion promoting agent.

Table 2:

15 Flow rate (ml/min)	% fentanyl removed		C
	A	B	
20 > 15	< 50	< 50	> 95

In the foregoing specification, the present invention has been described with reference to various examples and preferred embodiments. However, for a person skilled in the art, it is clear that the scope of the invention is not limited to these examples and embodiments, and that further modifications and variations are possible without departing from the inventive idea. The scope of the invention is thus only limited by the appended claims.

Claims

1. A pharmaceutical composition for the treatment of acute pain by sublingual administration, comprising an essentially water-free, ordered mixture of microparticles of fentanyl or a pharmaceutically acceptable salt thereof adhered to the surfaces of carrier particles, said carrier particles being substantially larger than said microparticles of fentanyl and being essentially water-soluble, and a bioadhesion and/or mucoadhesion promoting agent mainly adhered to the surfaces of said carrier particles.
2. A composition according to claim 1, comprising from 0.05 to 20 weight percent of fentanyl.
3. A composition according to claim 1 or 2, comprising from 0.05 to 5 weight percent of fentanyl, preferably then from 0.1 to 1 weight percent.
4. A composition according to any one of claims 1-3, wherein the particles of fentanyl have a weight based mean diameter of less than 10 μm .
5. A composition according to any one of claims 1-4, wherein the mean sieve diameter of the carrier particles is less than 750 μm , preferably then from 100 to 600 μm .
6. A composition according to any one of claims 1-5, wherein the carrier comprises a brittle material which will fragmentize easily when compressed.
7. A composition according to claim 1, wherein the carrier particles contain from 0.1 to 25 weight percent of the bio/mucoadhesion promoting agent, preferably then from 1 to 15 weight percent, based on the total composition.
8. A composition according to claim 7, wherein the bio/mucoadhesion promoting agent is selected from the group consisting of acrylic polymers, cellulose derivatives, natural polymers having mucoadhesive properties, and mixtures thereof.

9. A composition according to claim 8, wherein the bio/mucoadhesion promoting agent is selected from the group consisting of cellulose derivatives and comprising hydroxypropylmethyl cellulose, hydroxyethyl cellulose, hydroxypropyl cellulose, sodium carboxymethyl cellulose, methyl cellulose, ethyl hydroxyethyl cellulose, carboxymethyl cellulose, microcrystalline cellulose and modified cellulose gum; crosscarmellose; modified starch; acrylic polymers comprising carbomer and its derivatives; polyethylene oxide; chitosan; gelatin; sodium alginate; pectin; scleroglucan; xanthan gum; guar gum; poly-co-(methyl vinyl ether-maleic anhydride); and mixtures thereof.

10. A composition according to any one of claims 1-9, further comprising a pharmaceutically acceptable surfactant in a finely dispersed form and intimately mixed with the fentanyl.

11. A composition according to claim 10, wherein the surfactant is present in an amount from 0.5 to 5 weight percent of the composition, preferably then 0.5 to 3 weight percent.

12. A composition according to claim 10 or 11, wherein the surfactant is selected from the group consisting of sodium lauryl sulfate, polysorbates, bile acid salts and mixtures thereof.

13. A composition according to any one of claims 1-12, wherein the carrier particles comprise a water-soluble, pharmaceutically acceptable carbohydrate and/or inorganic salt.

14. A composition according to claim 13, wherein the carrier particles comprise one or more of the materials mannitol, lactose, calcium phosphate and sugar.

15. A composition according to any one of claims 1-14, wherein the carrier particles contain at least one pharmaceutical disintegrating agent promoting the dispersion of the microparticles of fentanyl over the sublingual mucosa.

16. A composition according to claim 15, wherein the disintegrating agent is selected from the group consisting of cross-linked polyvinylpyrrolidone, carboxymethyl starch, natural starch, microcrystalline cellulose, cellulose gum, and mixtures thereof.

17. A composition according to claim 15 or 16, wherein the disintegrating agent is present in an amount from 1 to 10 weight percent of the composition.

18. The use of fentanyl or a pharmaceutically acceptable salt thereof in microparticle form for the preparation of an essentially water-free pharmaceutical composition for the treatment of acute pain by sublingual administration, wherein the microparticles are adhered to the surfaces of carrier particles which are substantially larger than said microparticles and are essentially water-soluble, and a bioadhesion and/or mucoadhesion promoting agent is mainly adhered to the surfaces of said carrier particles.

19. A method for the treatment of acute pain, wherein to an individual afflicted with acute pain is administered sublingually at least one dose unit of an essentially water-free pharmaceutical composition containing an effective amount of fentanyl or a pharmaceutically acceptable salt thereof in the form of microparticles adhered to the surfaces of carrier particles, which are substantially larger than said microparticles and are essentially water-soluble, and a bioadhesion and/or mucoadhesion promoting agent mainly adhered to the surfaces of said carrier particles.

20. A method according to claim 19, wherein the fentanyl is administered in an amount from 0.05 to 20 mg, preferably then from 0.1 to 5 mg, per dose unit.

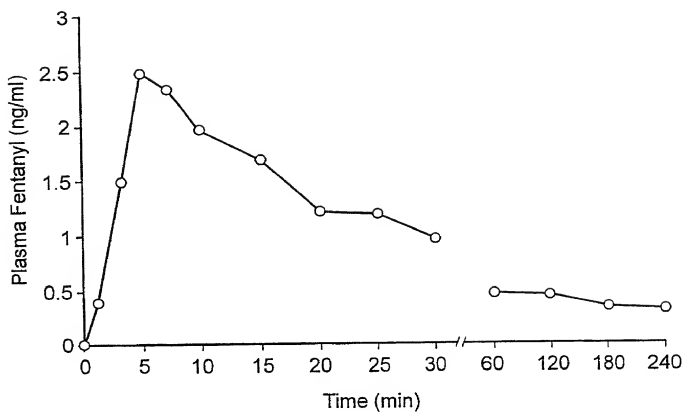
09/787887

ABSTRACT OF THE DISCLOSURE

A pharmaceutical composition for the treatment of acute pain by sublingual administration is described. The composition comprises an essentially water-free, ordered mixture of fentanyl or a pharmaceutically acceptable salt thereof in the form of microparticles which are adhered to the surface of carrier particles which are substantially larger than the particles of fentanyl, and are essentially water-soluble. In a preferred embodiment, the composition also contains a bioadhesion and/or mucoadhesion promoting agent. The invention also relates to the preparation of the composition, and to the use of the composition for the treatment of acute pain.

09787887.060801

1/1



COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

FENTANYL COMPOSITION FOR THE TREATMENT OF ACUTE PAIN

the specification of which: *(check one)*

REGULAR OR DESIGN APPLICATION

☐ is attached hereto.

☐ was filed on _____ as application Serial No. _____ and was amended on (if applicable).

PCT FILED APPLICATION ENTERING NATIONAL STAGE

☒ was described and claimed in International application PCT/SE99/01688 filed on 24 September 1999 and as amended on (if any).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

PRIORITY CLAIM

I hereby claim foreign priority benefits under 35 USC 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)

Country	Application Number	Date of Filing (day, month, year)	Priority Claimed
Sweden	9803239-4	24 September 1998	yes

(Complete this part only if this is a continuing application.)

I hereby claim the benefit under 35 USC 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)

(Filing Date)

(Status—patented, pending, abandoned)

POWER OF ATTORNEY

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from Stockholms Patentbyrå as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

As a named inventor, I hereby appoint the registered patent attorneys represented by Customer No. 000466 to prosecute this application and transact all business in the Patent and Trademark Office connected therewith, including: Robert J. PATCH, Reg. No. 17,355, Andrew J. PATCH, Reg. No. 32,925, Robert F. HARGEST, Reg. No. 25,590, Benoit CASTEL, Reg. No. 35,041, Eric JENSEN, Reg. No. 37,855, Thomas W. PERKINS, Reg. No. 33,027, and Roland E. LONG, Jr., Reg. No. 41,949,

c/o YOUNG & THOMPSON,
Second Floor,
745 South 23rd Street,
Arlington, Virginia 22202.



00466
PATENT, TRADEMARK OFFICE

Address all telephone calls to Young & Thompson at 703/521-2297. Telefax: 703/685-0573.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made from information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1-000-768-768 Full name of sole or first inventor: Anders PETTERSSON
(given name, family name)

Inventor's signature [Signature]

Date March 22, 2001

Residence: Kode, Sweden SEX

Citizenship: Swedish

Post Office Address: Knaverstad 13060
SE-442 97 Kode, Sweden

2-00 Full name of second joint inventor, if any: Christer NYSTROM
(given name, family name)

Inventor's signature [Signature]

Date 2001-04-04

Residence: Uppsala, Sweden SEX

Citizenship: Swedish

Post Office Address: Holmvagen 22B
SE-756 61 Uppsala, Sweden

3-00 Full name of third joint inventor, if any: Hans LENNERNAS
(given name, family name)

Inventor's signature [Signature]

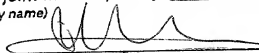
Date 22/03/01

Residence: Uppsala, Sweden SEX

Citizenship: Swedish

Post Office Address: Langvagen 35- Dag Hammarskjöldsväg 238 F
SE-756 52 Uppsala, Sweden

400 Full name of fourth joint inventor, if any: Bo LENNERNAS
(given name, family name)

Inventor's signature 


Date 2/3-2001

Residence: Uddevalla, Sweden SEX

Citizenship: Swedish

Post Office Address: Tunnbindargatan 12
SE-451 44 Uddevalla, Sweden

500 Full name of fifth joint inventor, if any: Thomas HEDNER
(given name, family name)

Inventor's signature 

Date 2001-05-02

Residence: Gallsta, Sweden SEX

Citizenship: Swedish

Post Office Address: Intorp Sateri
SE-520 10 Gallsta, Sweden